

A

**Modest Account**  
 OF THE  
*Present* **POSTURE** of **AFFAIRS**  
 I N  
**ENGLAND,**

VVith Particular Reference to the  
**Earl of Shaftsbury's**  
**C A S E:**

And a VINDICATION of HIM from  
**Two Pretended Letters**

O F A

**Noble Peer.**  
*or A Reply to y<sup>e</sup> Second Returne.*

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By a Person of *Quality*.

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L O N D O N,  
 Printed for Richard Baldwin, M D C L X X X I I.

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OF THE

PRESENT POSTURE OF AFFAIRS

IN

ENGLAND

With Particular Reference to the

Earl of Shaftesbury's

CASE

And a VINDICATION of HIM from

Two Imputed Crimes

OF A

Noble Peer

By a Person of Quality

By a Person of Quality

LONDON

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# Modest Account

OF THE  
Present Posture of AFFAIRS

## ENGLAND.

With particular Reference to the  
EARL of SHAFTSBURIES CASE;

And a VINDICATION of HIM from

two Pretended LETTERS of a

## Noble Peer.

My Lord,

I Received yours, in Print by the Penny-Post and expected the Date from R. Abbey, and not from New-Market, but I understand your Lordship hath given your Agents in this Town the Lye, and not retired to your Country-house, upon the Dukes coming; but have rather Posted down to New-Market, with the new Hosanna, of O Duke live for ever; which was some Years since, O King live for ever.

I find your Lordship is no good Judg of Styles, for I can assure you the Letter was not the Earl of S-----, and therefore you do ill to take this occasion of railing at him, unless you are resolved to save charges, and do that in your own Person, which others are so unsuccessfully hir'd to. It is a notorious false Testimony to say that Earl was raised from a mean Fortune, when 'tis well known his father in 1630 long before the troubles had a revenue between 8 and 9000*l. per annum*: And I have heard him often say, he would yield himself to be the worst man alive, if he in the Kings service got his maintenance, or did lay up above half his Paternal Revenue, and I think so able a man may be allowed at least, to be maintained in so great employments; Neither do I understand that malicious hint of merited severity, it was never applied to any man that had one of the chief hands in restoring a Prince to his Kingdom; as I know he had and without whose courage and dexterity, some men the most highly rewarded, had done otherwise than they did; therefore I have heard him say often, that the Act of Oblivion was an Act of the Kings honour and Justice, *as well as his Mercy*; it being a Treaty, and Agreement, much more sacred than any Act of Parliament can be, and I must tell your Lordship, and your Friends the Papists; that if you consider what Promises, Declarations, and Engagements the Dissenting Protestants had; both of his Majesty, his Lords, and his Bishops, at the time of his coming over; and how they have been since used, and with what submission and Loyalty they have carried themselves; you will not find a Parallel Instance.

But your Lordships business is, to keep your Hounds in full cry, against the pretended Association, for since you cannot find one really in being; a red-herring from your own Kitching, must be hunted and trail'd through the Kingdom, to make a noise.

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The malice is more then the wit in the matter. You have broken down your Gates in the Chace, and made so many----- Gaps in your own hedges, that your Cattle are broke out and come to the Pound; and what sort of Beast you trade in will be discovered. 'Tis an Impudence beyond the Jesuites, to say that nothing was more exactly prov'd, nothing more unquestionable and free from disputes, then that the Association was seiz'd in the Earls Closet; *Gwyn* himself neither does nor dares positively swear it, and 'tis Judged in that great case of *Monsieur Fouquet*, that a man is not answerable for Papers seiz'd when he is refus'd to deliver them upon Inventory. *Fouquets* enemies were not more bloody and inexterminate then the Earls, nor the concern of State against him higher: And yet the Law of Nature and Reason, can never subject a man to so unreasonable a danger. Besides was it ever heard that ever any man was questioned for a loose Paper, without any hand to it, found in his Study, that cannot be proved to this day, nor ever will, that he ever saw, read, or conversed with any about it; Neither is it to be proved notwithstanding all this Popish Clamour and Abhorrours that ever any one man did ever Sign, or Act upon it, or any thing like it. But your Lordship is very plain in the matter, and would have the Parliament men in the House of Commons who promoted the Association; have their heads advanced to the house top. I do not doubt but your Lordship and your friends the P A P I S T S are of that mind; but 'tis for some other Votes they then made of declaring Enemies to the King and Kingdom, for otherwise your Lordship and some of your friends, are as much guilty, as any of the house of Commons, of the Association. It being to be proved that the Association, and the banishing the Duke for ever, was your Lordships proposition in the Lords house in the last Westminster Parliament. The first utterly disliked by the Earl of *Shaftsbury* as no expedient they could trust in, since  
your

your Lordship and others of your make, could not be kept from being in the head of it. But those eminent and Worthy Persons of the Earl of Shaftsbury's Jury must be rail'd at, at any Rate. Yet where your Lordship found that Two of the Jury should say, This is the same with that which we saw produced and promoted in the House of COMMONS, I cannot tell, I am sure there is no such Expressions in the Proceedings at the Old Bailey, Publish'd by Authority. But between the Veracity of a Condemned Jesuite in Newgate, and that of a States-man, mark'd out by a Vote of the House of Commons for an Enemy to the King and Kingdom, I see here is no great odds. Your Lordship hath great Reason to be angry; for I confess they spoil'd the best Design was ever laid, by a damn'd Popish Party. The Government which you call according to Law, with the Help of Irish Witnesses, and well chosen Juries, should have delivered you from all the honest, worthy and considerable Protestants of England, for 'tis plainly confess'd by your Lordship how far you meant to go; 'tis a Thousand pities that the City Charter were not gone, and that your Lordship might not have the Naming of Sheriffs for London and Middlesex, and then 'tis plain what Justice we should have for our Lives and Fortune. The Masters of the Companies would then be Hanged with the Journey-men. And Sheriff Pilkinton's Conscientious Sorry Jury would be found at every Assizes; Eight hundred pound Damages given to such a Fellow, that prov'd not a Penny Damage received or possible to be received by it.

But since your Lordship hath had so great and good a Design spoil'd, I cannot blame you to be angry; but I would very fain guess what you would next be at, or whether your Patience will hold out till the City Charter be taken away, which I assure my self will be long before it be done, I fear you will resort to back the Pat-

tern in the Mount: And follow the President of your Bloody Predecessors, before that CHARTER be taken away) the *Guefes* in FRANCE, Cut Our throats and condemn us after; since we will not quietly be condemned first and hanged after; I am sure this is the next step can reasonably be expected from Men of your Conscience, and from the Principles and Interest you are carrying on: Neither let any one blame me for minding you of it; for I believe it hath been long in your mind and often in your thoughts, and therefore I thought it more necessary to warn others of what you are most likely to do. And since you talk so much of Loyalty and Love to Your Prince, I pray God preserve the KING, and keep him out of your and all *Papists* bloody Hands.---

I beg to know to what purpose your Lordship recites, That my Lord *Shaftsbury* was Lord Chancellor, do you quarrel at any of His Decrees or Actions then, or wherein did he not execute that Office as a Great and Good Man should, and what doth your Lordship mean by the certain strict Test for the Discovery of Popery, opposed by that Lord in Parliament, the Test that was passed against Popery (which every Officer is obliged to take) is notoriously known was principally promoted by Him: If your Lordship mean the other Bill of the Test which He opposed, 'tis the same with what Somebody hath passed lately Somewhere, and is a Great Step to the Destruction of the Protestant Religion. The Truth is there are so many of these downright Popish Touches in your Paper, That I sometimes doubt, whether it be Your Lordships or no? since You are but a young Convert, and yet they say young Proselytes are the fiercest; But this Paper must come from a PAPIST or Voted Enemy to the King and Kingdom, since you tell us, that you would have the Days of DISSOLVING the Two last Parliaments kept Festival Anniversarily, in Commemoration of your Deliverance from those Great and Apparent

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Dangers,



Dangers, wherewith you were encompassed, whilst they were in SESSION; None but such Fellows and their Faction being then in Danger.

But I find your Lordship extream angry at the Word FACTION; since you will please to have it, that your Worthy ABHORRERS and ADDRESSORS are not a FACTION, but the Total of the Kings Subjects, who Conscientiously respect their own Duty and the General Welfare; pray, my Lord, let us examine this Excellent Position of your Lordships setting aside your Heat and Railing. Does your Lordship think that the choice of SHERIFFS, the great care in returning select Men for Grand Juries; The Arts that were us'd to draw many of them into these Abhorrences, are not well known to All the Nation; We never doubt but you have choice of Gentlemen to make SHERIFFS fit for your TURN, and they, if they prove ill MEN, may find Rogues to make Under-Sheriffs in every County: Neither is it doubted that Seventeen or Eighteen Men may be found in most Counties, for your Turn; although in some (and these great Counties too) you could not find above Thirteen, and in several other Counties you have failed absolutely, and yet all this will not speak your PARTY The Hundred Part of the Nation. Hath your Lordship found out another way to make a Distinction between the SENSE of the Nation, and that of a Dangerous PARTY, than that of the House of Commons? Will you tell Me, That a PARLIAMENT chosen against all the Opposition, Industry, Power and Money of the COURT, is not the SENSE of Greatest Part of the NATION? Will your Lordship affirm, That this is a FACTION, and your Lordship the PAPISTS, the D. of Y. and his Creatures, are the only Loyal Subjects to the King and Government. And what sort of People these make up may be guess'd by what you profess your self for: A Government infinitely worse than that in Turkey; wherein the Law shall



shall be of no other Use, (if it may be as your Lordship would have it,) but as a Mask to the Princes worst Actions and Tyranny. Our Religion, Estates, Lives and Liberties, your *Lordship* would have to be Subjected to the Will of the Prince; who being a Man is as capable and lyable to be extreamly Ill as any other, tho blessed be God, for our *Good King*; besides what Law you allow to this King (who is an Excellent and the Best of PRINCES) as your King, must be allowed to the next, though He be the worst in Nature: And yet You will find out a Way, Your self to Name to the KING Judges, Sheriffs, and JURIES, and so then all things shall certainly go as the Court and Great Men order; 'tis already so compleat in S----, where the Proverb is, *Show me the Man and I will tell you the Cause*. This is a Way that no Sober, or honest Men were ever for in any Country. The Zeal of your Lordship to preserve the Greatness of your Duke, his Zeal to get a Crown, and of the PAPISTS to introduce their Religion, hath out-gone by many Degrees, all that ever went before you.

I Acknowledg, it the Kings Prerogative to CALL Parliaments, but *Edward the III.* tells us He was sworn by his Coronation-Oath to provide Remedy in Parliament upon Great Emergencies. And our Laws have been very careful to Fix the Frequency of them: And 'tis that only COURT that can keep all the rest useful to the King and People: They are brave Spirits indeed, and blest with a *Torish Humility*, or rather *stupid Folly*, if not wicked, Villanous Designs, that are unconcerned when a PARLIAMENT should be called, and leave it to the PRINCE, whether He please to have any or no without affording Him their dvice.

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The LAW hath given us a Right (nay 'tis our chiefest Birth-right, and without which we have nothing left us, but are meer slaves) to PARLIAMENTS within such a distance of Time: The Prince hath the Prerogative of appointing the Day; and Dissolving when the Business is done: But the Prince (*some think*) is obliged that we have Parliaments within our Time, and continued so as may be of effect to provide Remedies for the Emergent Evils. His Prerogative of *Appointing* the Day, *we hope*, will not deprive us of our Right of having them in such a Time, Neither will His Power to DISSOLVE them, *we hope*, Render them USELESS to Us.

I am heartily sorry your Lordship is so ill instructed in the Protestant Religion, That you ask what it is? but you profess, That *Your self* and your Fellow-Addressors and Abhorrrers are zealous for the Religion by LAW Established in the Church of ENGLAND, so then you do not know the Protestant Religion, but Religion by LAW Established you are very well acquainted with. What security will your Lordship give, That when your Army is compleated, and your Militia Abhorrrers and Addressors Mustered, That you will not tell Us, The Religion Established by LAW in the Church of England is the Old Popish Religion settled by Magna Charta, which is not Repealable by any future Act. For this Good Old Cause, your Lordship and Friends hath nursed up the King of France to this height, He is now in Christendom, and all Europe is abundantly in your Debt for it.

*Quantum Religio potuit suadere Malorum!*

I Own my self a Friend to the *Dissenting Protestants*, until your Lordship can find out an Infallible decider of points of FAITH. — I can give men leave to differ from me in opinion, whilst they live soberly and honestly by me. — There are none I know so inconsistent with Government as the P A P I S T; who owns a *Forreign Jurisdiction*, and dissolves all Natural Religion to introduce his *Own*. — And though your Lordship is pleased to add the word Rebel to the Name P R O T E S T A N T; yet it will agree much better with the *Papists*, whose Religion is *Rebellion*; and 'tis impossible to find one true Subject of them in the World, (to any but the Pope) if they believe their own Religion.

I find your Lordship is very kind to *Court Converts*, and will very freely pass over the Blackness of all their former *Transactions*; and you have great Reason, since you are so lately *One* your self: But be not deluded, the *Papists* think not as you think; they never forgive Past Offences. — *Argile* cannot be forgiven the being his Fathers Son. — Nor the Duke of L — will not be forgiven the having brought the COVENANT into *England*. — Tw — will find hereafter that 'twill be remembred he sat in *Olivers* Parliaments. And I should tell your Lordship, that you may suffer hereafter by a string of *some bodies* providing; but that my skill in *Astrology* hath told me, a Garter of your own using &c. — The jealous *Churchmen* that Govern the *Popish Interest* never forgive, especially Men capable of thinking and judging other things, then they would have them.

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Your Lordship is extremely out, when you tell us that the *Associations* in Queen ELIZABETH'S time, were entered into with her Consent and Privity; when the Queen her self, in her Speech to the PARLIAMENT, in the twenty eight year of her Reign: Did protest before God, that she never heard or thought of such matter, being wholly ignorant of it till a great number of Hands, with many Obligations were shewn her at Hampton Court, signed and subscribed with the Hands and Seales of the greatest in this Land.--- But you are pleased to call the several PARLIAMENTS, that about that time, so extremely opposed the SUCCESSION of Mary, Queen of Scots a PURITAN GANG, and have found out a Clergy, Nobility, and Gentry, in the Clouds, that were of another opinion, no question there were some and great store of PAPISTS in those days, but I am sure the PARLIAMENT were violently against her Succession, as appears in the Rolls: nay, and against her life too; for it was then daily experienced, that the Queen was not safe, whilst the Head of so desperate and bloody a Religion as the PAPISTS was in being.---

Pray, My Lord, let me ask you freely, is not this the very Case now? 'Twas the Opinion of our PARLIAMENTS, and the truth appears every day more and more. Pray let us hear your Lordship make a difference between the Case of Queen ELIZABETH, and her POPISH SUCCESSOR, Mary Queen of Scots: (which your self have so wisely Instanced in and brought upon the Stage) and our Case at this present juncture. Have the PAPISTS appeared less Bloody in their designs since that time? Have they less Passion for introducing their Religion? Did the Queen of Scots discover more Ambition for the Crown of England,





at his Feet: Multitudes do adore him that hate and  
fear the Religion and Temper of ——— Pray  
God bless the King, and give him yet more and more  
the Spirit of discerning his Interest and Friends, and  
the Courage to deliver himself from the hands of all un-  
worthy base TRAYTORS, as I would encom-  
pass Him, Shall ever be the hearty Prayers of

Yours, &c.

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T H E  
P O S T - S C R I P T .

**O**NE Thing I had almost forgot, which is this, that it shews, in my Opinion, very mean and degrading for a *Person* in your Lordships Station, to be continually troubling the Press with little Pamphlets, as if your Lordship had nothing to do, but to vent every conceit and quaint Notion that comes into your Head in Letters to your Friend: The General Conduct-pipe that conveys *Whim* and *Fancy* now a days through the Nation. That many Great *Statesmen* have been famous for cherishing and encouraging the Fomenters of Distraction and Diffentions, as their several Interests byass'd them the Stories of their Lives declare; however then they always stood behind the Curtain, and played least in fights themselves: But for your Lordship to turn *Paper-monger*, and thrust your self among the Throng of *Team-Smellers*, shews an eagerness of appearing among the Rabble, mis-becoming your Condition. It looks like *Nero* among the *Fiddlers*. But your Lordship gives some Reason for your Condescension. For 'tis plain from your Writings, That your Counsels have been MISSED, that is to say, have proved unfortunate; or perhaps to the loss of the Kingdom. But these are things that I am not to say.



therefore in point of HONOUR you can do no less than defend the *Natural Issue* of your Brain, and therefore it is, that you cannot chuse but fume and fret to see a PLOT so well laid prove so ineffectual.

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But whether you have done either politickly, or prudently to lay your self open to the World, by venting your Peaks and dissatisfaction against the *Darlings* of all true English Men, that value their Lives and Liberties, I mean JURY-MEN of Integrity and Conscience, your Lordship best knows. However your Lordship's *Moral Philosophy* seems to fail you very much, since your Lordship cannot but know how oddly and capriciously Fortune behaves her self in this World. The Mischief is, and that which grieves me most, that your Lordship, the only Eminent Lord in England for putting Pen to Paper, unless the Lord Castlemain, should be no less unfortunate in your Argument than in your Counsel, by Undertaking to Cavil with Conscience, which let your Lordship say what you can, is that which must Govern the Peace and Tranquility of this unruly *Sublunary Spot*. Had it been a *Thesis* in Philosophy concerning the Ebbing and Flowing of the Sea, or in *Mathematicks*, concerning the Probability of the Flying Engine, it had been but manners to have granted your Lordship the point. But where the *National Concerns* of Life and Liberty are at stake, we cannot bate your Lordship an Ace. Your Lordship would do well to consider that you live in an Abbey; and therefore if you do not like it, you had better sell it, than sit contriving ways to have it taken away. Certainly Ambition was never at a greater height than now, while men aspire not only to Outwit one another, but to Outwit themselves, the Impulse of Jesuitick Sublimity putting them upon the fond Toyle of Endeavouring to surpass



surpass *Humanity*, and to spin out the Thread of *Politicks* to that *Invisibilty*, till it snap with its own Fineness. These are the Snares, which the cunning *Jesuits* have laid for *Us Englishmen*, whose duller Apprehensions, as they believe, not being able to reach their Seraphick Acuteness, they laugh to think what sport they shall have to vapour over our unwary Politicians, when hampered in the *Vulcans* Nets of their own framing. But if *your Lordship*, who has the applause of being a Divine as well as a Polititian, would but consider how easily *Tricks* and *Subtleties* are obviated by a Noble, Generous, and Magnanimous honesty, the best of all Policies in the world we might then by *your* good Counsel, hope to see a sitting Parliament again, which is only dreadful to the conscious, like General Councils to the Pope, where *your Lordship* might sit safe for what *your* Vertues, not *your* Failings deserve.

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